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Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In Re:)	Case No.: 11-45120-C-7
)	DC No. MC-1
RINCON, JAIME)	
)	MOTION TO COMPEL ABANDONMENT
)	OF PROPERTY OF THE ESTATE. 11
)	USC 554
)	
)	Date: December 20, 2011
)	Time: 9:30 a.m.
)	Judge: KLEIN
Debtor)	Dept: C, Rm 35, 6 th Floor

Debtor moves the Court as follows:

1. Debtor scheduled as assets in this case certain personal properties. Schedule B is provided as Exhibit A.
2. Among the assets scheduled by Debtor, none are being pursued by the Trustee. All assets were either claimed exempt in Schedule C, or were over-encumbered by secured debt listed on Schedule D. Schedule C and D are provided as Exhibit B.
3. Debtor is self-employed as an auto detailer doing business as Automobile Touch Up, a sole proprietorship. Debtor is licensed by the City of Daly City to do auto detailing. The business license is provided as Exhibit C.
4. The sole proprietorship "Automobile Touch Up" has no goodwill value, so the value of Debtor's business is \$0.00, which is listed in Schedule B. See Exhibit A.
5. Debtor owns the following tools used in his business: air compressor, generator, and paintgun (hereinafter, "business tools"), which is listed in Schedule B. See Exhibit A.
6. Debtor also has the following business inventories: paint, masking tape, and paintfilter (hereinafter, "business inventories"), which is listed in Schedule B. See Exhibit A.

- 1 7. At the time of filing, the market value of the business tools is \$320.00 and business
2 inventories is \$2,000.00, which are Debtor's opinion.
- 3 8. At the time of filing, Debtor exempted his sole proprietorship "Automobile Touch Up"
4 on Schedule C under C.C.P. §703.140(b)(5) in the sum of \$1.00. See Schedule C,
5 Exhibit B.
- 6 9. At the time of filing, Debtor exempted the business tools used in his business on
7 Schedule C under C.C.P. §703.140(b)(6) as "tools of trade" in the sum of \$170.00 for
8 the air compressor and paintgun and under C.C.P. §703.140(b)(5) for \$50.00 for the
9 generator. See Schedule C, Exhibit B.
- 10 10. At the time of filing, Debtor exempted the business inventories on Schedule C under
11 C.C.P. §703.140(b)(6) in the sum of \$2,000.00
- 12 11. The Chapter 7 Trustee has asserted no interest in any of Debtor's properties, including
13 Debtor's business Automobile Touch Up, business tools, and business inventories,
14 listed on Schedule A and B.
- 15 12. Neither the Trustee, nor any other party, has filed an objection to the exemptions
16 claimed on Schedule C.
- 17 13. Debtor believes that all scheduled assets are of no consequence or burdensome to the
18 estate.

19 Wherefore, Debtor prays:

- 20 1. For an order compelling the Chapter 7 Trustee to abandon the sole proprietorship
21 Automobile Touch Up, business tools, and business inventories from the bankruptcy
22 estate.
- 23 2. For other relief the Court deems just and proper

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25 Dated: 11/17/2011

By: 

Muoi Chea, Attorney